



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

An Abridgment of the Laws of Virginia.

COMPILED IN 1694.

Among the "Ludwell Papers" given to the Virginia Historical Society by the late Cassius F. Lee, of Alexandria, Va., is a manuscript of one hundred and twelve pages, which contains an abridgment of the laws of the Colony, prepared in 1694, and evidently intended for publication. There is no evidence that this intention was ever carried out, and this, the earliest abridgment of our laws, arranged under topics, and in alphabetical order, has remained in manuscript. It is not only of interest as the earliest abridgment, but serves as a useful handbook for those who may desire to know the state of our laws at the end of the Seventeenth century. The history of the various revisals, compilations and publications of the laws of Virginia has been given by Mr. J. Stewart Bryan, of this city, in a valuable paper entitled "Statutes Prior to this Century," read before the Virginia Bar Association in 1898. To this paper readers are referred for fuller information on the subject.

There were various early revisals, but the first which appeared in print was that of 1661-2, prepared by Francis Morryson and Henry Randolph. It is a very scarce book, only four copies being known. This is the volume of "Printed Laws," so often referred to in the following abridgment.

The next publication was the well known one of Purvis, printed some time between 1684 and 1687. These two works were simply collections of laws.

In 1704 was printed in London for John Nicholson and other book-sellers "An Abridgement of the Laws In Force in Her Majesty's Plantations, viz: Virginia" [and Jamaica, &c.] In form this is similar to the abridgment of 1694, here printed. The part relating to Virginia contains 86 pages. This book is

not mentioned by Mr. Bryan, but there is a copy in the Virginia State Library.

The next publication of our laws was an abridgment printed anonymously in London in 1722. It is noticed in Mr. Bryan's address, though he had not then seen a copy. He has since added this very rare book to his collection and we are indebted to him for the privilege of examining the work, and permission to copy the title page. It is as follows:

An | Abridgement | Of The | Publick Laws | Of | Virginia |
In | Force and Use | June 10, 1720 | To which are added for the
Ease of the | Justices and Military Officers, &c. | Precedents of
all Matters to | be issued by Them, peculiar to those Laws; |
and varying from the Precedents in *England*. | London | Printed
for F. Fayram and J. Clarke at the | Royal Exchange; and T.
Bickerton in Pater- | Noster Row. 1722.

It is dedicated to Governor Spotswood, and has been attributed to Robert Beverley, the Virginia historian.

This publication of 1722 is an abridgment, but there seems to be no special topical or alphabetical arrangement. It has, however, at the end "An Alphabet to the Laws."

Though George Webb's "Virginia Justice," published in Williamsburg, in 1736, is the next in point of time, and is, as he says, "the first of its kind produced in these parts of the world," yet it is not the next in succession of the same character as the abridgment of 1694. While Webb's book is confined to matters within the jurisdiction and authority of a justice of the peace, that compiled by John Mercer, and published in Williamsburg in 1737, is a work on precisely the same plan as that now printed here.

Philip Ludwell, whose name is written on the title page of the manuscript of the abridgment of 1694, was long one of the most prominent men in Virginia. He was deputy to both the Secretary of State and Surveyor General, a member of the Council, and Governor of North Carolina. There can be little doubt but that this compilation was made by him or under his auspices. For a sketch of his life see the *Virginia Magazine of History and Biography*, I, 174-178.

AN ALPHABETICALL
ABRIDGMENT OF

Phill:

Ludwell

THE

LAWS OF VIRGINIA


Under certaine heads containing y^e Title of ye law,
an abstract of ye matter, ye year wⁿ made, ye year
of ye Kings Reign, who was then Govern^r
and ye number of ye acts made each
Assembly.

GOD SAVE Y^E QUEEN.

Note ye Title of all ye Repealed, expired or disused Acts are placed before, & ye Title of all ye printed acts behind y^e abridgment.

Note y^t this Abridgment was made in Sep^r in 1694 & so it answers.

Note all ye printed laws were made in ye year 1661 in ye 13th year of King Charles ye 2nd, S^r Wm. Berkley, Governor.

Note where this marke  is put y^t part of ye Act is changed afterwards under ye same head if not other waies * * * * where.

REPEALED, EXPIRED OR DISUSED.

Printed law 14 Ent. Burying of servants or others privately, prohibited—disused.

Pr. Law 18 Ent^d. Provision for a colledge—fallen.

Pr. la. 26 Ent. Appeales how to be made, first part of this law out of use & some part of it Repealed by act 15, 1676.

Pr. la. 40 Ent. Fines to be disposed of by ye Assembly—disused.

Pr. La. 42. prisons to be built in each county, repealed by y^e 5th Act, 1684.

Pr. Law 43 Ent. Dwellers wthin ye Rules of any prison not to have any benefitt there of. Repealed by ye 5th Act 1684.

Pr. La. 44 Ent. Sheriffs to be chosen in y^e com. Most part disused if not Repealed by proclamacon.

Pr. La. 25. Govern^r & two of ye Council to go ye Circute. Repealed by 22 act 1662.

Pr. La. 55. Councilours & Ten persons to be Exempted out of ye levy. Repealed by 9th act 1676-7.

Pr. La. 56. Artificers not planting Tobacco freed from paym^t of ye levy. Repealed by ye 5th act 1673.

Pr. 57 Ent. Councillours to raise a leavy. Repealed.

Pr. La. 59. Reward for killing of Wolves. Repealed by 6th act 1666.

Pr. la. 74. Quit rents, how to be paid. Rep. by procla.

Pr. la. 108. Improvem^t of staple Comodities—fallen.

Pr. la. 109. an act for Mulberry trees. Repealed act ye 15 1666.

Pr. la. 110. Encourgm^t to build Vessells—repealed by Act 15th 1666.

Pr. la. 111. Tanhouses to be erected.

Pr. la. 112. two acres of corne for each Tithable.

Pr. la. 114. free Trade.

Fr. la. 115. Exportacon of hides prohibited—Rep. by act. 2nd 1671.

Pr. la. 116. Exportacon of mony.

Pr. la. 119. Against shooting.

Pr. la. 120. Suply of Amunition, there other Laws since made wth Relates to that.

Pr. La. 122. Against Exportacon of English goods.

Pr. La. 123. no maires or sheep to be transported—Repealed by act 6, 1688 as to ye horses.

Pr. La. 124. Against selling of Rum but in places appointed—rep. by act 8 1684.

Pr. La. 128. Imposition of 2^s p^r hhd., rep. by act 3d 1684.

Pr. La. 129. every Inhabitant in Northumberland & Westmoreland Counties to give an Acco^t how many hhd. of Tob^o they made & to whom sold. rep. Act. 5th 1679.

Pr. La. 130. Paym^t of Fort duties in Accomack.

Pr. La. 131. Tenn Shill. Pr. hhd. Repealed by Act 7th 1667.

Pr. La. 132. Castle duties to be p^d. Rep. by 3rd Act 1680.

Pr. La. 133. Ships to come up to James city, seems to be repealed by act 2nd 1668.

Pr. La. 135. A Pub. Notary Appointed—fallen.

Pr. La. 138. Interpreters made of ye Country—fallen.

Act. 14 1662. An Act ascertaining Damages upon bills protested. rep by act 18 1666.

Act 15 1662. An Act Impowering counties or Parishes to make by Laws.

Act 16 1662. an act for building a Town.

Act 17 1662. An act for ye Imposition of 2^s P^r hhd. Rep. by 3d Act 1680.

Act 18 1662. An Act Concerning Castle duties. Rep. by act 3d 1680.

Act 20 1662. An Act for Incourage^{mt} to build Vessells. rep. by Act 15 1666.

Act 21 1662. An act for handy crafts Men to pay Levies. Expired.

Act 22 1662. An Act repealing ye act for Itinerary Judges. Repeales ye 25 act Pr. Law.

Act 23 1662. An act concerning hides. rep. by 2nd Act 1671.

Act 3 1663. An act prohibiting ye exportacon of Deer skins or calve skins. Rep. by Act 2d 1671.

Act 4 1663. An act prohibiting ye Entertainm^t of Indians wthout badges—disused.

Act 5 1663. An act for ye better paym^t of ye ten shillings Pr. hhd. Repealed by act 7th 1666.

Act 8 1663. An act concerning ye pursuit of runawaies. repealed by act ye 3d 1684.

Act 12 1663. An act concerning a stint. Rep^d by Act 3d 1664.

Act 13 1663. An act Respiting ye time for planting Mulbury Trees.

Act 8th 1664. An act Repealing y^e act concerning Rum. Repeals ye 124 Pr. La.

Act ye 2 1665 Ent. a repeal of ye act for defraying y^e Encouragem^t for killing Wolves by a Tax on.

Act ye 3d 1665. an act prohibiting sale of Arms to y^e Indians. Rep. by Act 9th 1691.

Act 4 1665. an additional act for ye better Restraining ye Exportacon of hides. rep^d by 2nd Act 1671.

Act 7th 1665. An act Repealing ye Act of 10^o Pr. hhd. Repeals Pr. La. 13.

Act 9 1665. An act concerning ye building a fort.

Act 10 1665. An act preparatory to a Stint or Cessation. Rep. by act 4 1666.

Act ye 1 1666. An act for a Cessation.

Act ye 3 1666. An act for altering ye day of ye Gen^l Court. rep. by act 1 1684.

Act 1 Octob^r 1666. An act for a Cessation. Expired.

Act 2 1666. An act how Debts are to be paid ye cessation Yeare. Expired.

Act 3 1666. An act for Valuation of Commodities for paym^t of pub. dues—Expired.

Act 4 1666. An act for rateing Ordinary Keep^r, altered by 3rd Act 1671 & by after act quite changed.

Act 6 1666. An act repealing y^e act of Encourage^{mt} for killing Wolves. Rep. 59 Pr. La.

Act 7 1666. An act Concerning ye Salt Work at Accomack. Rep. Act 6 1663.

Act 8 1666. An act prohibiting Indians to come into Henrico County. Rep. by 5 Act 1671.

Act 9 1666. An act for Provision of Ammunition.

Act 10 1666. An act for setting up of Loomes in each County.

Act 15 1666. An act Repealing ye Act for Encourage^{mt} Repeales Divers Laws.

Act 1 1667. An act for Tob^o of Maryland growth to be free from duties. Expired.

Act 5 1667. An act ag^t Exportacon of corne. Expir^d.

Act 7 1667. An act for Forts to be Built in each Riuer, latter part Dispensed wth by 2nd 1668.

Act 1 1668. An act for Establishing a Fort. Expir^d.

Act 5 1668. An act Impowering County Courts to build Workhouses assisted by ye Vestry—Disused.

Act 6 1668. An act permitting ye Exportacon of horses & Mairs—Repeales part of ye 123 Pr. La.

Act 6 1669. Act for Encourage^{mt} to make silk.

Act 9 1669. An Act for Destroying Wolves. Rep. by act ye 10 1670.

Act 10 1670. An act Repealeing ye act ab^{out} Wolves. Repeales act 9 1669.

Act 11 1670. An Act for ye Better Pay^{mt} of 2^d p^r hhd. Repealed by an act 3rd 1680.

Act 12 1670. An act Concerning who shalbe slaves. Repealed by ye 1st Act 1682.

Act 2 1671. An act permitting ye Exportacon of Wool, hides & Iron. Repeales severall Laws.

Act 5 1671. An act Repealing ye Act makeing it death for Indians Coming into Henrico County. Repeals act 8 1666.

Act 7 1671. An act for Naturalization. A new act to this purpose Viz^t act 3 1680.

Act 1 1672. An act for ye defence of ye Country—part expired—part disused & part noted under ye Title-ships.

Act 6 1672. An act Concerning Masters of Ships & collectors provided for by act 3d 1680.

Act 8 1672. An act for ye Aprehension & Supression of Run-away Negros & Slaves. Expired.

Act 2 1673. An act providing for y^e Suply of armes & Ammunition.

Act 4 1673. An act for ye advance^{mt} of ye Manufacture of Flax & hemp.

Act 5 1673. An act Concerning Tradesmen and other artificers to pay levey. Repeals 56 Act pr. la.

Act. 1 1674. An act for addres & Supplycacon to be made to y^e King's most excellent Maj^{ty}. Rep^d by act 11 1676-7.

Act 2 1674. An act for ye Continuance of 200^l sterl. p^r annum over & above ye 1000^l Sterl. p^r annum to Sr. Wm. Berkeley Knt. Governor—Expired.

Act 5 1674. An Act Impowering Mr. Secretary Ludwell as Notary Pub. to appoint Deputies—Expired.

Oct. 1 1675. An act for ye Safe guard & Defence of ye country agst ye Indians—Expired.

Act 2 1675. An act prohibiting Trade wth ye Indians. rep. by act ye 3d 1677 or 9 1691.

Act 3 1675. An act prohibiting ye exportacon of corne, &c. Expired.

Anno 1676, June ye 5th.

- 1 An act for carrying ye warr ag^t ye Barbarous Indians.
- 2 An act concerning Indian Trade & Traders.
- 3 An act concerning Indian Land deserted.
- 4 An act for Suppressing Tumults & out set.
- 5 An act for Regulating Officers & Offices.
- 6 An act for Choosing Vestries.
- 7 An act for inabling Freemen to Vote for Burgesses & preventing false returns of Burgesses.
- 8 An act for Representatives to vote wth ye Justices at Levy Court & makeing by laws.
- 9 An act for ye County Court to appoint their Collect^{rs} & disabeling Councillors to vote in county courts.
- 10 an act for limiting Sheriffs &c a time to demand ye levies to be made y^m.
- 11 Two Justices of ye Quorum to sign probats &c.
- 12 Cuncillo^{rs} & Ministers famalies & no money allowed them.
- 13 An act altering ye Encourage^{mt} for killing Wolves.
- 14 an act for ye further prevention of mischief from unruly horses.
- 15 An act ag^t Exportacon of Corne.
- 16 An act for ye Suppressing of Ordinaries.
- 17 An act limitting ye bounds of James City.
- 18 An act repealing Laws concerning Accomack & Northampton.

19 an act of Gen^l pardon & Oblivion.

20 An act Disableing Edw. Hill & Jo^a Stith to bare office.

All ye Acts of this Assembly are Repealed by ye Kings Instrucons & p^rclamacon & by 4 act 1676-7.

Act 1 1676-7. an act of Indemnity & free pardon. Repealed by proclamacon.

Act 2 1676-7. An act of Attainder. rep. by procla.

Act 3 1676-7. An act Inflicting pains, penalties and fines upon great Offenders. Repealed by proclamacon.

Act 4 1676-7. Act declaring all ye acts orders & proceedings of a grand assembly held at James City in ye month of June 1676 voyd, null & Repealed.

Act 5 1676-7. An act for Relief of Such loyal persons as have suffered loss by ye late Rebels. rep. by proclamacon.

Act 8 1676-7. An act limittin^g time of Rec^t & payment of pub. Tob^o. Repealed by proclamacon.

Act 9 1676-7. An act repealing ye act allowing Free Tithables to diverse persons.

Act 12 1676-7. An act Concerning Serv^{ts} who were out in Rebellion. Repealed by proclamacon.

Act 14 1676-7. an act repealing ye act of Encouragem^t for killing wolves.

Act 15 1676-7. An act giving liberty of appeal to ye Eastern Shore People. Repeals part of ye 26 pr. la.

Act 18 1676-7. An act for Setting apart a day of humiliacon & a day of thanksgiveing. expir^d.

Act 20 1676-7. an act for Opening ye Courts of Judicature. Effected.

Act 2 1677. An act prohibiting private Composicon.

Act 3 1677. An act licensing Trading wth Indians. Seems to Repeal Act 2 1675 & to be rep. by act ye 8 168: & act 9 1691.

Act 6 1677. An act for ye Imposition of 2^s on 500th Bulk Tob. rep. by 3d act 1680.

Act 7 1677. Act for delivery of Stray horses &c. Repealed by proclamacon.

Act 9 1677. An act for settleing ye forms of Pattents. disused.

Act 11 1677. An act declareing ye year 1676 to be out of ye Statute of limitacons. of no use now.

Act 12 1677. An Act for signing Executions on Judg^{mt} in ye assembly—of no use now.

Act 1 1679. An act for ye defense of ye Country ag^t ye Incursions of ye Indian Enemy.

Act 3 1679. an additional & declaratory law Impowering County Courts to make by laws. rep. by proclamacon.

Act 5 1679. An act Repealing 129 act pr. laws.

Act 4 1680. An act for continuation of ye Severⁿ Fortifications & Garrisons at ye head of ye 4 great Rivers. rep. by Act 7th 1682.

Act 5 1680. An act for Cohabitacon & Incourag^t of Trade & Manufacturers—Suspended.

Act 6 1680. An act ascertaing attornies fees. rep. [by] 6 act 1682.

Act 8 1680. An act licensing free Trade wth Indians—Expired.

Act 12 1680. An Act prohibiting ye Transportacon of Raw hides & Deer Skins.

Act ye 4 1682. An act prohibiting ye Exportacon of any Iron, wool, wolfals, skins, hides or leather. Expir'd.

Act 6 1682. An act Repealing ye 6th act June, 1680, abo^t attornies.

Act 7 1682. An act disbanding ye p'sent Sould^r in Garrison in ye forts at ye heads of ye severⁿ Rivers as also for raising of other Forces in their Stead.

Act 11 1682. An act for ye Encourag^{mt} of ye Manufacture of linen & woollen cloath. Rep. by act 6 1684.

Act 12 1682. An act for ye advancem^t of y^e manufacture of ye growth of this country for ye better & more speedy pay^{mt} of Debts & levies—Expir'd.

Act 3 1682. An act for ye Pub. Levy—Expired.

Act 3rd 1684. An act repealing y^e act Concerning y^e pursuit of runaways, rep. 8 act 1663.

Act 6 1684. Act repealing y^e act giving Encourag^{mt} for y^e linen & woollen manufacture. rep. ye 11 act 1682.

Act 7 1684. An act for ye Better Defence of y^e Country—Rep. by act 9 1686.

Act 8 1684. An act for lessening y^e levys by Pole, & laying of an Imposition on Liquors—Expired.

Act 9 1684. An act for ye Pub. levy—Expired.

Act 3 1686. act Reviveing ye act Intitled an act for y^e advancementⁱ of manufacturs of y^e growth of this Country—Expired.

Act 6 1686. an act Regulateing ye Tares of Tob^a hhds. Expired.

Act 8 1686. An act for y^e Better Improve^{mt} ye breed of horses. Expired.

Act 9 1686. an act Repealing y^e 7th act of Assembly made at James City y^e 16 day of Aprill 1684.

Act 10 1686. an act continuing y^e Imposition upon liquors. Expired.

Act 11 1686. Act for raising a pub. levy—Expired.

Act 6 1691. An act Reviveing y^e act for advancementⁱ of manufactures, of y^e growth of this Country &c—Suspended.

Act 7 1691. an act reviveing ye 6 act of assembly made at James City y^e 20th of October 1686 Regulateing ye Tares of Tob^a hhds—Expired.

Act 8 1691. An act for Ports &c. Suspended.

Act 15 1691. An act for ye Better defence of y^e Country. Rep. by ye 1 act 1692.

Act 17 1691. An act for lessening y^e levy by y^e poll & laying an Imposition upon liquors—Expired.

Act 18 1691. an act appointing a Treasurer—Expired.

Act 21 1691. An act for Raising a Pub. levy—Expired.

Act 1 1692. Act for y^e better Defence of ye country. Expired.

Act ye 7th 1682. An act for raising a Pub. levy. Expired.

Act 1 1692-3. An act for suspending y^e Execution of Acts for ports—Expired.

Act 6 1692-3. An act for Continuing y^e Rangers at ye heads of y^e four great Rivers—Expired.

Act 7 1692-3. An act for raising a Pub. levy—Expired.

ACCOUNTS.

Pr. La. 93 Ent. Chyrurgeons Accoⁿ pleadable after y^e Decease of y^e party.

Enacted y^e Phisitions & surgeons acc^t shalbe recoverable for means administered and pains taken in y^e time of sickness wherof ye party dies & where he recovers six Months after such Recovery & no longer.

Pr. Law 94 Ent. Discounts to be made in Court.

En. That where suit is brought for a Debt, if ye def^t have bill, bond, or acct. of y^e pl^s due, it shalbe discounted, consideration being had to ye Severⁿ time their severⁿ debts have been due & accordingly allowance made for y^e time, but no bill or Acc^t assigned shalbe pleadable in such case, unless ye Assignee can prove he gave ye D^r notice before his Acceptance of ye Assignm^t & y^e y^e D^r at y^e time pretended to no discount ag^t it.

Pr. La. 95 Ent. Accounts ag^t Dead men's Estates.

En. that no book Debts or acct^t be pleadable ag^t ye Estate of any person Dece^d except such as Pr. particular acts of Assembly are pleadable, as officers fees, levies and Surgeons accoⁿ, and if any person liveing deny upon his Oath an Acc^t to be due, it shall not be admitted, neither shall any one be put to his Oath upon an ordinary keepers acc^t, for wthout ye parties hand to ye Acc^t or bill y^e Debt shall not be pleadable.

Pr. La. 96 Ent. Ball^o Accⁿ of dec^d Persons.

En. that Accⁿ ag^t dead mens Estates sufficiently proved shall Discount an Acc^t due to such dead Men's Estates, but if it Exceed y^e overplus shall not be allowed and where any one being Charged D^r Refuseth upon his Oath to deny his Charge, Except an Ordinary keeper, y^e Court shall take y^e Acct to due as by Confession.

Act 4 1662. An act declareing how Judgm^t shalbe passed upon a non est Inventus as Returned.

En. that upon an accon of y^e Case upon an acc^t on a non est Inventus y^e Cts. Oath shalbe taken & Judgment pass for y^e Same & so also Judgm^t shall pass ag^t y^e Bail where y^e def^t appears not.

Act 4 1672 ent. an act limitting how long Acc^{ts} shalbe pleadable.

En. that no acc^{ts} shall not be pleadable after 3 years by any person y^e lives in y^e Country nor after 5 years by any out of y^e Country—this act Relateing nothing to y^e acts Concerning Acc^{ts} ag^t Dead mens Estates.

Act 10 1672 Ent. An act declareing mens notes how far pleadable ag^t their Estates if Dead.

En. That all Notes Charged in Life time appearing by Comparing of hands or otherwise to be y^e Dec Act & to be unsatisfied by ye Oath of y^e party claiming, shalbe pleadable, provided they be sued for wthin 12 months after ye parties Decease.

Act 4 1679 Ent. An act declareing how far Acc^{ts} are pleadable ag^t Dead men's Estates.

En. that part of ye 25th act pr. la. being to[o] severe, all acc^{ts} ag^t a dead mans Estate Contracted wthin a year before ye parties Death, shalbe Recoverable & for longer time wthout prescription if y^e D^r shall Remove or abscond out of y^e County to where he lived w^a he Contracted y^e debt, provided such acc^{ts} be proved in Court by Oath of ye C^r & one wittness more & y^e y^e party suing for such debt do himself appeare & make Oath y^t ye same is Really due wthout any discount yt he knows of.

Act 4 1692 Ent. an act abo^t Phisicians & Surgions acc^{ts}.

En. That y^e Phisician or Surgeon be allowed ye true costs of their Means & C^t p^r c^t there upon, makeing Oath & where they cannot ye Court to give Judg^{mt} according to ye best of their knowledge, allowing ye Phisician for his Visits & Care a suitable Recompense.

Pr. La. 92. and w^a it appears y^e Phisitian hath neglected his Patient y^e Court shall conjure him to pay wth in discreation they think Reasonable.

ADMINISTRATIONS.

Pr. La. 64 Ent. Countye Courts to grant Probates & Administracons.

County Courts Impowered to grant Probates of wills & administracons where y^e person dies Intestate, to take Security &

Receive Inventories, y^e clk of ye Court to certify unto ye Sacretaries office y^e party dec^d, y^e Execut^{rs} or adm^{ns} & Their Sureties y^e County and Parish where they dwell and Court where ye adminstracon is granted wⁿ he Transmitts y^e probates or administracons to whom to be granted.

En. That no administraction be granted until 9 months after y^e parties Decease except to y^e widow or Child & yⁿ to be immediately granted upon Sufficient Security for performing w^{ht} ye law Requires & saveing y^e Court harmles, & in case ye widow or child do administer, y^e Estate to be Inventoried & appraisim^t made by 4 men appointed by y^e Court & sworn, wth Inventory & appraisim^t shalbe brought to y^e next Court, unless y^e Court think fitt to give longer time, and in case there be neither widow nor child, ye Estate to be sold by y^e Court at an outcry, y^e purchasers to put in Security & ackn^o Judgm^t for their debts, wth by Court shalbe assigned to y^e Sever^l Creditors of y^e dec^e and paid according to y^e priority in law, & ye Surplusage to be delivered to ye next kinsman of y^e Dec^d, if any prove himself such wthin 3 years & if not yⁿ ye Court to give an acc^t of y^e Surplusage to ye Assembly, who are to dispose of ye same to y^e use of ye county, allowing Reasonably for y^e Manage^{mt}.

ALTER. UND'R TITLE WIDOWS.

And wⁿ ye widow or Child administer, ye surplusage to be divided amongst ye Children & widow viz: $\frac{1}{3}$ to y^e widow & y^e other $\frac{2}{3}$ amongst ye children, whosoever pretends to administer to give Good Security before order be granted & an order so obtained shall not be reversed, unless ye party dye before he hath given an Acc^t of y^e Estate, and obtained a Quietus, in wth case ye Court is Impowered to grant administraction to another, who may call y^e Execut^{rs} or adm^{ns} of ye first administraction to Acc^t, who shall pay out of y^e dec^d adm^{ns} estate all such debts as shalbe found due to y^e estate administrated upon in first place.

APPEALS.

Pr. La. 26 Ent. appeals how to be made. The first part of this act is out of use & it is enacted y^t appeals shall lye open for

any thing of w^h vallue soever, y^e apellant puting in good Security for prosecuting y^e appeal & pay^{mt} of 50 pr. ct. damages to y^e def^t if ye apellant be cast in y^e Suite. Northampton County Excepted from Appealing under y^e vallue ~~of~~ of 3000^{lb} Tob. or £30 sterling.

this clause rep. by act 15 1676

and y^e other part of this act are digested under y^e title Courts.

Act 10 1662 Ent. An act for def^{ts} in appeals to give in Security to answer ye appeal.

En. that all defend^{ts} in appeals shall give good Bail for their appearance, as in case of Arrests, and y^e sherr. & Bayl to be Responsible for Non appearance as in case of arests.

Act 3 1668 Ent. An act abo^t. damages on appeals.

En. That in all acons y^e damages, Costs & Reasonable expenses recover'd ag^t ye appealant in y^e County Court by Judgm^t or verdict of a Jury shall have 50 pr. ct. Raised upon all those costs and damages in y^e Gen^l Court ag^t y^e person appealing if cast in y^e Suite.

ATTORNIES.

Pr. la. 49 Ent. no Commission^r, Clk. or Sherr. to be Attornies in y^e Court where they officiate. Sherr., Com^r., under Sherr. & clk. prohibited to plead as attor. in y^e Court where he officiates under ye penalty of 1000^{lb} Toba. to y^e Countys use, nevertheless y^e Court may assign one of y^e Com^{rs} to plead a poor man's cause; but he not to give Judgm^t therein & every Comicion^r, sherr. or clk. may plead for persons out of y^e Country or County to whome they are Gen^l attornies.

Pr. La. 82. Attornies for busines out of England.

En. That no attorney by any power out of Eng. or elsewhere shall sue or Implead any person here wthout giving Security for pay^{mt} of all costs & damages y^e Court shall award ag^t him wⁿ it shall be found y^t he unjustly malested y^e defend^t.

(TO BE CONTINUED)